

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATT'Y DOCKET	:	RM.PMK)	Examiner (TBD)
)	
APPLICANT(S)	:	Butcher and Gentempo, Jr.)	
)	
SERIAL NO.	:	10/594,786)	AU (TBD)
)	
INT'L SERIAL NO.	:	PCT/US2005/011034)	Conf. No. 7148
)	
FILED	:	29 September 2006)	
)	
INT'L FILE DATE	:	01 April 2005)	
)	
FOR	:	Personalized Audio/Video/Text)	
		Wellness Program)	

Mail Stop PCT
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

The undersigned hereby certifies that this document has been forwarded via first class, postage prepaid mail to Mail Stop PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on Monday, September 22, 2008.

 RAPHAEL A. MONSANTO, REG. NO. 28,448

**TRANSMITTAL LETTER FOR MISSING REQUIREMENTS UNDER
35 U.S.C. § 371 IN THE UNITED STATES DESIGNATE/ELECTED OFFICE**

SIR:

Enclosed please find the following items submitted in response to the Notice to File Missing Requirements Under 35 U.S.C. § 371 mailed on February 21, 2008 for which a two month period

**Request for Extension of Time
US Serial No. 10/594,786
PCT/US2005/011034 filed April 1, 2005
Page 2**

of response from the date of mailing was set to expire on April 21, 2008. A Request for Extension of Time for five months is annexed hereto. The extended period expires on Monday, September 22, 2008:

- 1) Copy of Notification of Missing Requirements Under 35 U.S.C. § 371;
- 2) A Preliminary Amendment submitted for the purposes of reducing the number of claims. More specifically, all of the claims in the case, 1-121, have been canceled and replaced by new claims 122-172 (51 claims total). The new independent claims are 122, 128, 150, 156, 161, and 172 (6 independent claims);
- 3) Two (2) clearer copies of the Declarations of Inventorship (Standard Forms PCT/RO/101);
- 4) Request for Extension of Time Pursuant to 37 CFR 1.136(a); and
- 5) Check in the Amount of \$2,205.00 to cover the excess claims fees of \$775 for 31 excess claims, \$315 for 3 excess independent claims, and fee for a five month extension of time \$1,115.

Respectfully submitted,



RAM:rb:T-MPA.PMK
Encs:

10/01/2008 LLANDGRA 0000009 10594786

01 FC:2615
02 FC:2614

775.00 OP
315.00 OP

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UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/594,786	Jon David Butcher	RM.PMKus
		INTERNATIONAL APPLICATION NO.
		PCT/US2005/011034
I.A. FILING DATE	PRIORITY DATE	
04/01/2005	04/01/2004	

CONFIRMATION NO. 7148
371 FORMALITIES LETTER



OC000000028411998

Date Mailed: 02/21/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 09/29/2006
- Copy of the International Search Report filed on 09/29/2006
- Copy of IPE Report filed on 09/29/2006
- Preliminary Amendments filed on 09/29/2006
- Oath or Declaration filed on 09/29/2006
- U.S. Basic National Fees filed on 09/29/2006
- Priority Documents filed on 09/29/2006
- Specification filed on 09/29/2006
- Claims filed on 09/29/2006
- Abstracts filed on 09/29/2006
- Drawings filed on 09/29/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$2945 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - not legible

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$2945 for a Small Entity:

Total additional claim fee(s) for this application is \$2945

- \$420 for 4 independent claims over 3.
- \$2525 for 101 total claims over 20.

page 1 of 2

COPY

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

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